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PART III.

Legislative Measures and Rules thereunder.

NOTIFICATION.

No. 194—L. C., dated 6th November 1907.

Under Rule 40 of the Rules for the conduct of the business of the Mysore Legislative Council, the following report of the Select Committee appointed to amend the Court Fees Regulation, III of 1900, and the bill as amended by the Committee, are published for general information.

By Order,
K. MYLAR RAO,
Secy., Mysore Legis. Council.

Report of the Select Committee.

We the members of the Select Committee appointed for the consideration of the bill to amend the Court Fees Regulation, III of 1900, beg to report as follows:—

The bill proposes to enact that in suits for possession of land, houses and gardens by a lessor or landlord against his lessee or tenant, the court fee payable shall be either a fixed fee of Rs. 10 or according to the amount of the rent payable for the year next before the date of presenting the plaint, whichever is the greater of the two. We think that the minimum of Rs. 10 fixed will work as a great hardship in the case of properties whose annual rental value is small. Considering the fact that in a large number of cases coming before the courts, the annual rental value of the property involved is only very small, we are of opinion that this minimum fee should be removed altogether. The object which the bill has in view has been secured in British India by Act VI of 1905 amending the Court Fees Act of 1870. Our Court Fees Regulation being almost the same as the British Indian enactment, we are of opinion that the same amendment may be adopted here and in the same words. We accordingly propose to amend the bill as follows:—

"Whereas it is expedient to amend the Court Fees Regulation, His Highness the Maharaja is pleased to enact as follows:—

1. In section 4, sub-head XI, of the said Regulation,

(1) after clause (*c*), the following clause shall be inserted, namely,

'(*c c*) for the recovery of immovable property from a tenant, including a tenant holding over after the determination of a tenancy'; and

(2) for the word 'land' in both places in which it occurs, the words 'immovable property' shall be substituted."

(Sd.) S. NARAYANA RAO,
(*Chairman*).
(,,) T. ANANDA RAO.
(,,) A. RANGASWAMI IYENGAR.
(,,) M. C. RANGIENGAR.
(,,) B. NAGAPPA.